

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Kositprapa et al.**

Serial No.: 10/777,542

Group Art Unit: 1614

Filed: February 12, 2004

Examiner: Kevin E. Weddington

For: **NOVEL PHARMACEUTICAL FORMULATION CONTAINING A BIGUANIDE  
AND A THIAZOLIDINEDIONE DERIVATIVE**

New York, New York 10036

June 4, 2009

Via Electronic Filing System  
Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the duty to disclose under 37 CFR 1.56, enclosed please find Forms PTO/SB/08A and PTO/SB/08B listing references which may be considered material to the patentability of the claims of the above-identified application. Copies of References EA to EG and FA and FB are being submitted as per 37 C.F.R. §1.98(a)(2)(i).

I hereby certify that this correspondence is being submitted via the Electronic Filing System ("EFS") to the United States Patent and Trademark Office on June 4, 2009.

/Nicholas P. Chiara/  
(signature)

Nicholas P. Chiara, Reg. No. 52,737  
(name of person signing)

Copies are being submitted as References EA to EG as per 37 C.F.R. §1.98(a)(2)(i).

| <u>DOCUMENT</u>  | <u>STATEMENT OF RELEVANCE</u>   |
|--|---|
| EA   | An English translation of an opposition filed in Columbia against a related foreign application.                |
| EB   | A response to the opposition filed in Columbia against a related foreign application (in Spanish).              |
| EC   | An English translation of a response to the opposition filed in Columbia against a related foreign application. |
| ED   | A search report from the Georgian Patent Office (and English translation).                                      |
| EE   | An Office Action from the Ukrainian Patent Office (and English translation).                                    |
| EF   | Journal Article related to metformin and troglitazone.  |
| Efficacy of Metabolic Effects of Metformin and Troglitazone in type II diabetes mellitus; Inzucchi SE et al.<br>N. Engl. J Med.<br>1998 Mar 26; 338(13): 867-72.                               |   |
| EG   | Journal Article related to metformin and rosiglitazone.   |
| Effect of Metformin and Rosiglitazone combination therapy in patients with type II diabetes mellitus: a randomized controlled trial; Fonseca V, et al.<br>JAMA, 2000 Apr 5; 283(13): 1695-702. |   |

English-language full text copies of References FA and FB are included as per 37 C.F.R. §1.98(a)(2)(i). As per 37 C.F.R. §1.98(a)(3)(i), no Statement of Relevance is being submitted for References FA and FB.

The remaining references cited in the above Opposition, Search Report and Office Action have already been cited in previous Information Disclosure Statements.

It is respectfully requested that this art be considered by the Examiner in the above-entitled application and made of record therein.

A check for \$180.00 is enclosed herewith for the filing of a supplemental Information Disclosure Statement. The Commissioner is hereby authorized to charge Deposit Account No. 08-1540 for any additional fee required or to credit any overpaid fee.

Respectfully submitted,

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